

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

LARRY JAMES MCGEE

§

VS.

§

CIVIL ACTION NO. 9:13cv243

DIRECTOR, TDCJ-CID

§

MEMORANDUM OPINION REGARDING VENUE

Larry James McGee, an inmate confined in the Duncan Unit of the Texas Department of Criminal Justice, Correctional Institutions Division,, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

Petitioner states that in 2008, he was convicted of possessing marijuana in the 100th District Court of Carson County, Texas. He was sentenced to 25 years imprisonment.

Petitioner filed this petition for writ of habeas corpus in the district in which he is currently confined. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring a petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated. Section 2241(d) further provides that a district court in the exercise of its discretion may transfer the action to the other district in the furtherance of justice.

Petitioner was convicted in Carson County, Texas. Pursuant to 28 U.S.C. § 124, Carson County is in the Amarillo Division of the

United States District Court for the Northern District of Texas. As all records and witnesses involving this action may be located in the Northern District, the transfer of this action to such district would further justice.

Accordingly, this case will be transferred to the Amarillo Division of the United States District Court for the Northern District of Texas. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 23 day of September, 2013.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE